

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY cas D.C.

2005 AUG 23 PM 3:28

UNITED STATES OF AMERICA,

PLAINTIFF,

VS.

MICHAEL MARTIN,

DEFENDANT.

NO. 2:04cr20245-MI

MOTION DENIED

*for the reasons
Set out in the
Government's Response
and the Medical Records
received.*

Jon Phipps
JON PHIPPS, CLERK
U.S. DISTRICT COURT

Oct. 11, 2005

DATE

MOTION TO COMPEL FEDERAL MEDICAL FACILITY
AT FORT WORTH TO MAKE MEDICAL EVALUATION
AND TO TREAT DEFENDANT

FILED BY ST D.C.
05 OCT 11 AM 11:26
THOMAS H. COULD
CLERK, U.S. DISTRICT COURT
WESTERN DIVISION

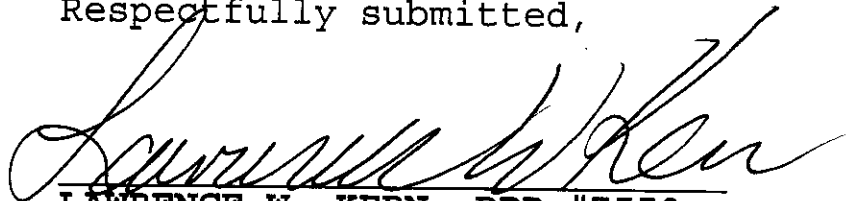
COMES NOW, the defendant, Michael Martin, by and through his counsel, Lawrence W. Kern, and moves this Honorable Court to order the Federal Medical Facility at Fort Worth to medically evaluate the defendant and to change any medicines necessary for his treatment.

In support thereof, the undersigned counsel has had phone conversations with the defendant who is now confined at FMC - Jail Unit, Fort Worth, Texas. The defendant informed his counsel of record that he was not being treated for his medical condition and would only be evaluated for his psychiatric or psychological evaluation. The medical facility indicated that they would only perform a mental evaluation and not a medical evaluation. The defendant desires a medical evaluation so that the facility may

change any medicines that are required for his psychological treatment if necessary.

WHEREFORE, undersigned counsel respectfully requests that the Court order the Federal Medical Facility - Jail Unit at Fort Worth, Texas to conduct a medical evaluation of the defendant, Michael Martin, and to prescribe or change any medicines necessary for the psychological treatment of the defendant.

Respectfully submitted,



LAWRENCE W. KERN, BPR #7550
Attorney at Law
5118 Park Avenue, Suite 600
Memphis, TN 38117-5710
Telephone: 901-681-0997

CERTIFICATE OF SERVICE

I, LAWRENCE W. KERN, certify that I have this date delivered a true copy of the foregoing Motion to Compel Medical Evaluation of Defendant to Camille Reese McMullen, Assistant US Attorney, Clifford Davis Federal Office Building, 167 North Main #800, Memphis, TN 38103 via United States Mail, postage prepaid, this the 19 day of Aug, 2005.



LAWRENCE W. KERN



Notice of Distribution

This notice confirms a copy of the document docketed as number 33 in case 2:04-CR-20245 was distributed by fax, mail, or direct printing on October 11, 2005 to the parties listed.

Lawrence W. Kern
KERN LAW FIRM
5118 Park Avenue
Ste. 600
Memphis, TN 38117--571

Camille Reese McMullen
U.S. ATTORNEY'S OFFICE
167 N. Main St.
Ste. 800
Memphis, TN 38103

Honorable Jon McCalla
US DISTRICT COURT